

1 SUSAN S. MUCK (CSB NO. 126930)  
2 [smuck@fenwick.com](mailto:smuck@fenwick.com)  
3 JENNIFER BRETAN (CSB NO. 233475)  
4 [jbretan@fenwick.com](mailto:jbretan@fenwick.com)  
5 FENWICK & WEST LLP  
6 555 California Street, 12th Floor  
7 San Francisco, California 94104  
8 Telephone: (415) 875-2300  
9 Facsimile: (415) 281-1350

10 JAY L. POMERANTZ (CSB NO. 209869)  
11 [jpomerantz@fenwick.com](mailto:jpomerantz@fenwick.com)  
12 FELIX S. LEE (CSB NO. 197084)  
13 [flee@fenwick.com](mailto:flee@fenwick.com)  
14 FENWICK & WEST LLP  
15 Silicon Valley Center  
16 801 California Street  
17 Mountain View, California 94041  
18 Telephone: (650) 988-8500  
19 Facsimile: (650) 938-5200

20 Attorneys for Defendants  
21 Immersion Corporation, Victor A. Viegas, Client  
22 Richardson, Stephen Ambler and Daniel Chavez

23  
24 UNITED STATES DISTRICT COURT  
25 NORTHERN DISTRICT OF CALIFORNIA

26 In re: IMMERSION CORPORATION  
27 SECURITIES LITIGATION

28 This Document Relates to:

ALL ACTIONS

Case No. CV 09-4073 MMC

CLASS ACTION

**STIPULATION AND [PROPOSED]  
ORDER SETTING SCHEDULE FOR  
FILING OF CONSOLIDATED  
COMPLAINT AND RESPONSES  
THERETO**

(Civil L.R. 7-12)

Judge: The Honorable Maxine M. Chesney

Date Action Filed: September 2, 2009

1           **WHEREAS**, on December 21, 2009, this Court issued an order consolidating several  
 2 related securities class action complaints as *In re Immersion Corporation Securities Litigation*,  
 3 appointing John P. Loos as Lead Plaintiff and approving Lead Plaintiff's selection of Brower  
 4 Piven, A Professional Corporation, as Lead Class Counsel, and directing Lead Plaintiff and  
 5 defendants Immersion Corporation, Victor A. Viegas, Clent Richardson, Stephen Ambler and  
 6 Daniel Chavez ("Defendants") (collectively, the "Parties") to meet and confer and, no later than  
 7 January 8, 2010, submit a stipulated schedule for the filing of a consolidated complaint (the  
 8 "Consolidated Complaint") and for the briefing of responses thereto;

9           **WHEREAS**, on July 1, 2009, Immersion Corporation ("Immersion" or the "Company")  
 10 announced that the Audit Committee of its Board of Directors was conducting an investigation  
 11 into certain previous revenue transactions in Immersion's Medical line of business;

12           **WHEREAS**, on August 10, 2009, Immersion (1) announced that its Audit Committee  
 13 concluded that a restatement of the Company's previously issued consolidated financial  
 14 statements as of and for the year ended December 31, 2008 and auditor's report thereon, and  
 15 previously issued unaudited financial statements as of and for the periods ended March 31, 2009,  
 16 December 31, 2008, September 30, 2008, June 30, 2008 and March 31, 2008, would be required  
 17 ("Anticipated Restatement"); and (2) stated that it was diligently pursuing these matters and  
 18 intended to file its restatement as soon as reasonably practicable after the conclusion of the Audit  
 19 Committee's investigation and analysis;

20           **WHEREAS**, on December 1, 2009, Immersion announced that it was working diligently  
 21 towards filing its restatement with the Securities and Exchange Commission ("SEC") as soon as  
 22 practicable; and

23           **WHEREAS**, because the Parties anticipate that Immersion's Anticipated Restatement  
 24 may relate to matters underlying and/or relevant to the allegations in this action, the Parties  
 25 respectfully submit that judicial resources and those of the Parties may be conserved and that  
 26 judicial efficiency may be achieved if the Consolidated Complaint were permitted to be filed after  
 27 the Anticipated Restatement;

1           **IT IS ACCORDINGLY STIPULATED**, pursuant to Civil L.R. 7-12, by and between  
2 undersigned counsel for the Parties that:

- 3           (i)       Lead Plaintiff shall file a Consolidated Complaint no later than 60 days after the  
4           Anticipated Restatement is filed with the SEC, but, absent further Order by the  
5           Court, in no event later than June 30, 2010. The Consolidated Complaint will  
6           supersede all existing complaints filed in this action, and Defendants are not  
7           required to respond to any of the complaints filed in this action prior to the  
8           Consolidated Complaint;
- 9           (ii)      The deadline for Defendants to move, answer or otherwise respond to the  
10          Consolidated Complaint shall be 60 days after the Consolidated Complaint is  
11          filed;
- 12          (iii)     In the event Defendants move to dismiss the Consolidated Complaint, Lead  
13          Plaintiff shall file his opposition(s) to Defendants' motion(s) no later than 60  
14          days after such motion(s) are filed; and
- 15          (iv)     In the event Defendants move to dismiss the Consolidated Complaint,  
16          Defendants shall file any replies to Lead Plaintiff's opposition(s) to the  
17          motion(s) to dismiss no later than 40 days after such opposition(s) are filed.

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

1 Dated: January 7, 2010

FENWICK & WEST LLP

2 By:

3 Jay L. Pomerantz, Esq.  
4 Silicon Valley Center  
5 801 California Street  
6 Mountain View, CA 940401  
Tel: (650) 988-8500  
Fax: (650) 938-5200

7 Attorneys for Defendants  
8 Immersion Corporation, Victor A. Viegas,  
9 Clint Richardson, Stephen Ambler and Daniel  
Chavez

10 Dated: January 7, 2010

BROWER PIVEN,  
A Professional Corporation

11 By:

12 David A. P. Brower  
13 488 Madison Avenue  
14 Eighth Floor  
New York, New York 10022  
Tel: (212) 501-9000  
Fax: (212) 501-0300

15 Attorneys for Lead Plaintiff  
16 and the Proposed Class

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 Dated: January 12, 2010

19 Hon. Maxine M. Chesney  
20 United States District Court Judge

21 25311/00400/DOCS/2176746.3

22  
23  
24  
25  
26  
27  
28 STIPULATION AND PROP. ORDER SETTING  
SCHEDULE FOR FILING CONSOLIDATED  
COMPLAINT AND RESPONSES THERETO